

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5169 of 2019

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Rajesh Kumar s/o Late Ram Naresh Prasad Resident of Village-
Manichhaper,P.O. Hathwa,P.S. Hathwa,Dist.-Gopalganj,Bihar-841436

... .. Petitioner/s

Versus

1. The State of Bihar and Ors through the Principal Secretary-cum-Commissioner,Department of Higher Education,Govt. of Bihar Patna
2. Jai Prakash University Chapra through Registrar,Jai Prakash University,Dist.-Saran,Bihar
3. The Vice Chancellor, Jai Prakash University,Dist-Saran,Bihar
4. The Registrar, Jai Prakash University,Dist-Saran,Bihar
5. The Finance Officer, Jai Prakash University,Dist-Saran,Bihar
6. The Principal/Professor Incharge, Gopeshwar College,Hathwa,Dist.-Gopalganj

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Binod Kumar Labh
For the Respondent/s	:	Mr.Prabhakar Jha (Gp 27)
For the University	:	Mr.Bindhyachal Rai

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

10 22-04-2024 Heard learned counsel for the petitioner and learned
counsels for the respondents.

2. The present writ application has been filed for a direction
upon the respondents to appoint the petitioner on compassionate
ground because his father died in harness while he was working
on the post of Peon at Gopeshwar College, Hathwa.

3. A counter-affidavit has been filed on behalf of the
University, whereby, it is stated that the petitioner is the son of
late Ram Naresh Prasad, who died in harness on 08.12.2015



while working as Peon at Gopeshwar College, Hathwa. The claim of the petitioner for his appointment on compassionate ground was placed before the Compassionate Appointment Committee of the University in its meeting dated 20.05.2017. The committee after consideration of the documents found that the petitioner and some other candidates, who were also claimants, were not qualified, being non Matriculate. Therefore, the Committee after consideration of their cases decided to ask for guidelines from the Director, Higher Education, Government of Bihar or to enquire about the Rules regarding Compassionate appointment, for non-matriculate candidates. The Registrar of the University and the member of the Compassionate Appointment Committee obtained the relevant circular issued by the General Administration Department, Government of Bihar, Patna contained in letter no.22/Anu-04/2011-5958 dated 25.04.2012. From perusal of column 'ख' of the letter dated 25.04.2012, it would transpire that the minimum qualification for appointment on compassionate ground is Matriculation pass. Since the petitioner had not cleared his Matriculation Examination at the relevant time, he was not found entitled for appointment on compassionate ground.

4. Under the aforesaid facts and circumstances, I do not find



any merit in the case of the petitioner. However, as proposed, the wife of younger brother of the petitioner is at liberty to apply for her appointment on compassionate ground before the Registrar of the Jai Prakash University, Chapra and the Registrar of the University is well advised to consider the appointment of wife of younger brother of the petitioner on compassionate ground.

5. With the aforesaid liberty, this writ application is hereby dismissed.

(Anjani Kumar Sharan, J)

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